

PATENT
ATTORNEY DOCKET NO.: **056291-5303**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:) Confirmation No.: **3400**
)
Stephen Robert WEDGE)
)
Application No.: **10/594,233**) Group Art Unit: **1611**
)
Filed: **September 25, 2006**) Examiner: **FRAZIER, Barbara S.**
)
FOR: **COMBINATION THERAPY**) Date: **April 28, 2010**

AMENDMENT AND RESPONSE

This is in response to the non-final Action dated October 28, 2009, the time for responding to which has been extended to and including April 28, 2010, by petition and authorization for payment of extension fees submitted herewith.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

The Examiner's attention is drawn to the attached copies of the below-listed case law decisions, which are discussed at pages 10-17 of the Remarks:

In re Brana, 34 USPQ2d 1436 (Fed. Cir. 1995)

Ex parte Gregory, Appeal 2008-005266 (BPAI 2009)

In re Chupp, 2 USPQ2d 1437 (Fed. Cir. 1987)

Ex parte Eggenweiler., Appeal 2007-2495 (BPAI November 27, 2007)

Ex parte Porubek, Appeal No. 2001-1101 (BPAI, non precedential).